

CITY COUNCIL REGULAR SESSION

Comprehensive Plan Final Review. Actions on Ordinances relating to the Comprehensive Plan of the City of Bellevue, consistent with the Growth Management Act (Ch. 36.70A RCW) and adopting certain proposed plan amendments as the City's 2018 Comprehensive Plan amendments.

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EXECUTIVE SUMMARY

Following Council direction on November 26, Ordinances are returning tonight for:

- Action amending the Comprehensive Plan with one or more proposed plan amendments (City Dacha LLC, Bellevue Nursery, Red Town, Grand Connection) based on the Planning Commission's recommendation; and
- Action adopting the general Ordinance documenting the City's annual Comprehensive Plan amendment action under the Growth Management Act and deferring the East Main proposed plan amendment to 2019.

RECOMMENDATION

The proposed 2018 annual Comprehensive Plan amendments identified by Council on November 26 for final adoption are each presented for separate Council action on the agenda tonight. The Planning Commission's recommendations for the Bellevue Nursery, City Dacha LLC, Red Town, and Grand Connection amendments are included in Attachment A and summarized here:

- Regular Session Agenda Item 11(b); Ordinance No. 6446 amending the map designation from Single Family-High (SF-H) to Neighborhood Business (NB) on the Bellevue Nursery CPA (18-103877 AC) site at 842 104th Ave SE.
- Regular Session Agenda Item 11(c); Ordinance No. 6447 amending the map designation from Public/Single Family-Low (P/SF-L) to Multifamily-Medium (MF-M) on the City Dacha LLC CPA (17-131046 AC) site at 160 118th Ave SE.
- Regular Session Agenda Item 11(d); Ordinance No. 6448 amending the map designation from Single Family-Medium (SF-M) to Single Family-Urban Residential (SF-UR) on the Red Town CPA (18-103926 AC) site at 16425 SE Cougar Mountain Way.
- Regular Session Agenda Item 11(e); Ordinance No. 6449 amending the Comprehensive Plan to incorporate the Grand Connection Framework Plan's (18-103885 AC) high-level vision as a memorable place-making element along its entire corridor length, adopting Grand Connection policies into the Urban Design and the Arts Element, and policies and maps into the Downtown and Wilburton/NE 8th Street Subarea Plans.

- Regular Session Agenda Item 11(f); Ordinance No. 6450 adopting a final “General” ordinance documenting the City’s annual Comprehensive Plan amendment action under the Growth Management Act and deferring the East Main proposed plan amendment to 2019.

BACKGROUND/ANALYSIS

At the November 26 Study Session, the City Council studied the Planning Commission’s 2018 Final Review recommendations. At that time Councilmembers requested additional information on the Bellevue Nursery, Red Town, Grand Connection, and East Main proposed map and plan amendments, prior to December 10 action.

Bellevue Nursery

Councilmembers requested a review of options covering possible site redevelopment scenarios, including intent on how to allow uses. The owner has shared his intent in the form of a use list. See Attachment B. Any actions the City Council takes, besides deciding on the proposed amendment, should be accomplished with separate motions. The following table outlines possible options Council may consider for the Bellevue Nursery CPA, likely outcomes, and Council oversight moving forward. Options are not listed in order of preference.

Options	Outcomes and Council oversight
Adopt Comprehensive Plan amendment (PC Recommendation)	Resolves policy conflict, allows broadest range of permitted neighborhood business uses; Council control by ordinance approving the CPA. Uses are limited by site constraints and zoning restrictions, such as setbacks, and Transition Area requirements that will apply with adoption of rezone.
Adopt Comprehensive Plan amendment with direction to limit uses as part of future rezone action	Resolves policy conflict; evaluates impacts on surrounding residential uses and limits future permitted uses; Council control by ordinances approving the CPA and rezone. Limitations attached to rezone continue until property is rezoned and may become obsolete over time.
Do not Adopt Comprehensive Plan Amendment and direct staff to process a Land Use Code amendment to permit Garden Supplies (SLUC 596) uses operating continuously in residential areas since prior to 1955. (Councilmember Robertson recommendation.)	Consistent with historical licensing precedent for this use and site—see Attachment C; policy conflict remains neutral; historically allowed nurseries would be permitted outright in residential areas; Council control by ordinance approving a Land Use Code amendment—suggested language in Attachment D.
Do not Adopt Comprehensive Plan Amendment and rely on nonconforming use provisions allowing repair/remodel with limits	Allows continuation of uses that were legally established but are no longer consistent with the land use regulations; established uses may be expanded through conditional use process (CUP); alterations to structures and site dimensions must be code compliant; Council control by ordinance only upon CUP appeal.
Do not Adopt Comprehensive Plan Amendment and rely on variance authority to vary code requirements	Variance cannot be used for uses, but for dimensional hardship; does not address site configuration capacity limits; and administrative process is delegated to permitting staff.

Red Town

Councilmembers requested additional information regarding how Threshold Review's expansion of the geographic scope of the proposal was applied to surrounding property.

The Planning Commission did not expand the geographic scope of this proposal. The staff report also did not recommend scoping expansion, noting that the site is located near the southwest intersection of SE Cougar Mountain Way and 166th Ave SE. It is bounded by properties (Albright PUD and Cougar Ridge West) that were developed at various residential densities using planned unit developments (PUD) and with retained private recreation and public storm drainage detention; native growth protection areas; and private access and public utility easements. This has left the Red Town site somewhat awkwardly configured to develop at its current R-3.5 density because of the minimum lot size required by that zone. Since the three houses to the north are fully developed under that same zoning, there are no similarly situated or shared characteristics with these other sites.

Grand Connection

Councilmembers noted that different terms were used in the policy statements about *multimodal* mobility and *pedestrian* mobility. Council directed staff to review the language and reconcile inconsistencies.

Staff has returned edits in the policy statements relating to the Grand Connection vision for multimodal transportation that is inclusive of people walking, riding a bicycle, or using other compatible mobility options. The focus on various modes will vary along the route, with the pedestrian experience and pedestrian safety being of primary importance, and other complementary modes accommodated with thoughtful planning. Additionally, staff cross-referenced these policy considerations with other Downtown Subarea Plan policies around pedestrian and bicycle connections. These edits are internally consistent and allow for connections to be made through Downtown and to transit.

See Attachment E for the strike draft changes reflecting this consistency. This edited version is also currently attached to the draft Grand Connection plan amendment Ordinance.

East Main

Councilmembers indicated a need for additional study and review of issues identified in the Planning Commission's East Main recommendation. Accordingly, the East Main proposed plan amendment is not being presented for plan amendment action on December 10 and is being deferred to 2019 as part of the general Ordinance documenting the City's annual Comprehensive Plan amendment action under the Growth Management Act. A separate study session is being held on December 10 which will include a proposed Council review calendar.

POLICY & FISCAL IMPACTS

Policy Impact

Growth Management Act

The Growth Management Act states that proposed amendments or revisions of comprehensive plans may be considered no more frequently than once per year (with limited exceptions) and that all proposals shall be considered concurrently so that the cumulative effect of the proposals can be ascertained. The effect of such review is to keep the plan current and relevant. However, a city may adopt amendments under the GMA provisions whenever an emergency exists.

Comprehensive Plan

Should the City amend the Comprehensive Plan to incorporate amendments resulting from the 2018 Comprehensive Plan Amendment work program? Bellevue's annual Comprehensive Plan Amendment work program includes privately-initiated amendment proposals that have advanced into Final Review, and city-initiated amendments by action of the City Council under LUC 20.30I.130. B.1.

Fiscal Impact

Adoption of the 2018 amendments to the Comprehensive Plan sets City policy. Though there is no direct fiscal impact to the adoption of amendments, implementation may influence future decision making and proposed investments. Investments outside of the scope of the current biennial budget may be proposed in future budget processes for Council approval.

OPTIONS

1. Take individual action by agenda item to approve one or more of the proposed Ordinances, relating to the Comprehensive Plan of the City of Bellevue, consistent with the state Growth Management Act (Chapter 36.70A RCW) adopting the City's 2018 amendments to the Comprehensive Plan.
2. Modify any or all the proposed Ordinances pursuant to Council direction and adopt the amended Ordinances.
3. Provide alternative direction by motion for proposed plan amendments not adopted in 2018.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Planning Commission recommendation for 2018 annual Comprehensive Plan Amendments
- B. Letter from Edward Tian regarding Bellevue Nursery intended redevelopment uses
- C. Historical Bellevue Nursery City Council actions
- D. Bellevue Nursery suggested Land Use Code language
- E. Grand Connection staff edits to policy recommendations

AVAILABLE IN COUNCIL LIBRARY

N/A